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Paper No. 8

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JUN 10 2004

In re Application of: : DECISION ON PETITION  
SIGLINGER *et al.* : TO WITHDRAW HOLDING  
Serial No.: 10/057,752 : OF ABANDONMENT  
Filed: October 25, 2001 :  
Attorney Docket No.: TEMP 2341000 :  
:

This is a decision on the petition filed December 31, 2003, to withdraw the holding of abandonment in the above identified application under 37 CFR § 1.181. No petition fee is required.

The request is **GRANTED**.

The application was held abandoned for the failure to timely file a response to the Office action mailed on April 01, 2003. A Notice of Abandonment was mailed on October 21, 2003.

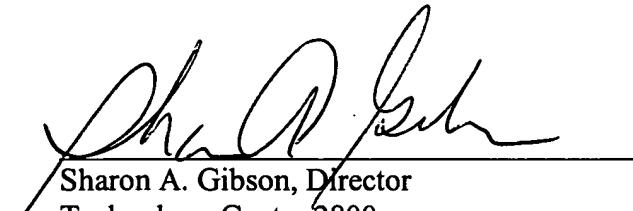
Petitioner asserts that on September 30, 2003, a response including an amendment, a Power of Attorney and Revocation and a petition for an extension of time, was timely filed in the above-identified application. To support this assertion, petitioner has submitted a copy of the response bearing a certificate under 37 CFR § 1.8(a), signed and dated September 30, 2003, a copy of a return postcard, which acknowledges receipt in the USPTO of the response on October 03, 2003 and a copy of a canceled check for fees associated with the response.

A review of the application file reveals the above noted response was not matched with the application file wrapper at the time of mailing of the Notice of Abandonment. The above-identified response filed September 30, 2003, has since been located and matched with the file wrapper.

For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the examiner of record for consideration of the response and prompt appropriate action.

Inquiries regarding this decision should be directed to Clayton E. LaBalle at (571) 272-1594.



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